

extraction means extracting the reaction end product[s] from the contaminated subsurface zone and contaminant[s] from the contaminated subsurface zone; and

B<sup>4</sup> a fluid introducing means arranged and configured to introduce a fluid substantially adjacent and surrounding said extraction means, said extraction means being disposed within said fluid introducing means.

#### REMARKS

This is a full and timely response to the outstanding final office action mailed April 10, 2000. Upon entry of the foregoing amendments, claims 2, 5, 6 and 27 remain pending in the present application. Claims 1, 3, 4, 7-26, and 28-53 have been canceled, and claims 2, 5, 6 and 27 have been directly amended with this response. Each of the remaining pending claims has been previously examined and it is believed that the foregoing amendments and additions present no new matter to the instant application. Reexamination, reconsideration, and allowance of the presently pending claims is respectfully requested.

27

**A. Claim Rejections - 35 U.S.C. § 112**

**Rejections under 35 U.S.C. § 112, Second Paragraph**

Claims 27, 31, 32, 49 and 50 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. In particular and regarding claim 27, the Examiner states the following:

Claim 27 recites "a product supply means for introducing a product..." (line 5) and "means for introducing said product..." (line 6). It is unclear whether these are the same means.

(Office Action, page 2).

Accordingly, claim 27 has been amended to state, in part:

an injection means for introducing a fluid into said contaminated subsurface zone, said product being able to react with subsurface contaminant and produce a reaction end product;  
a fluid pumping means for delivering said fluid to said injection means;

...

(Claim 27, as amended). Claims 31, 32, 49 and 50 have been canceled. In addition to the above noted amendments, various other changes have been made to further clarify the claims.

In view of the above described amendments to the claims, it is respectfully asserted that claim 27 currently defines the invention in the manner required by 35 U.S.C. § 112. Therefore, Applicant respectfully requests that the rejection of claim 27 under 35 U.S.C. § 112, second paragraph, be withdrawn.

## **B. Allowable Subject Matter**

Applicant appreciates the Examiner's indication that claim 27 would be allowable if amended to overcome the rejections under 35 U.S.C. § 112. It is believed that every rejection regarding claim 27 under 35 U.S.C. §112 has been overcome. Claims 2, 5 and 6 have been amended to depend from claim 27 and to have proper antecedent basis from claim 27. As such, claims 2, 5 and 6, as amended, contain no new matter. Accordingly, it is submitted that claim 27 as well as the amended claims 2, 5 and 6, which depend from claim 27, and therefore contain all the limitations contained therein are allowable.

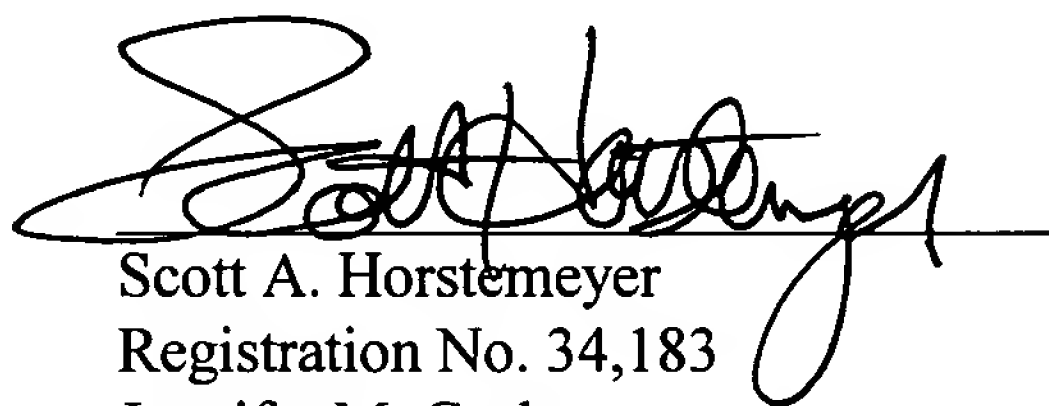
## **C. Canceled Claims**

As identified above, claims 1, 3, 4, 7-26 and 28-53 have been canceled from the application through this response without prejudice, waiver, or disclaimer in order to eliminate the remaining disputed issues and to achieve early allowance of subject matter indicated as allowable by the examiner. Applicant reserves the right to present these canceled claims, or variants thereof, in continuing applications to be filed subsequently, if Applicant so chooses.

### CONCLUSION

In summary, it is respectfully submitted that claims 2, 5, 6 and 27 are in condition for allowance. Should the Examiner have any questions regarding this response, he is invited to telephone the undersigned attorney.

Respectfully submitted,



Scott A. Horstemeyer  
Registration No. 34,183  
Jennifer M. Gruber  
Registration No. 42,601

**THOMAS, KAYDEN, HORSTEMEYER & RISLEY, L.L.P.**

Suite 1750  
100 Galleria Parkway N.W.  
Atlanta, Georgia 30339  
(770) 933-9500

Docket No.: 050506-1010

